

REMARKS

Claims 1-13, 15-18, 20-23, 26, and 28-32 are pending. Claims 24-25 are cancelled without prejudice. Claims 16-18 and 20-22 are rejected under 35 U.S.C. § 112, first paragraph. Claims 1-4 and 23 are rejected under 35 U.S.C. § 102(b). Claims 11-13, 26, and 29-31 are rejected under 35 U.S.C. § 102(e). Claim 5 is rejected under 35 U.S.C. § 103(a). Claims 6-10, 15, 25, 28, and 32 are objected to as being dependent upon a rejected base claim. Claims 1, 3, 5-10, 15, 18, 23, 28, and 32 are currently amended.

The drawings are objected to for failing to designate Figure 1 as Prior Art. A replacement sheet is being submitted as a separate paper to designate Figure 1 as Prior Art.

The specification and claims 1-10, 15, 18, 25, 28, and 32 are objected to for failing to designate "Bluetooth" as a registered trademark "Bluetooth™." Robert N. Rountree, Reg. No. 39,347, called Examiner Moore on June 24, 2005 to ask if he was certain that Bluetooth was a registered trademark related to the Bluetooth Specification. Examiner Moore said that he was not certain but would check. Applicants have amended the specification and claims to recite "Bluetooth™" with the understanding that the amendment will be withdrawn if it is improper.

Claims 16-18 and 20-22 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject which was not described in the specification. In a response dated November 15, 2004, Applicants amended original independent claim 16 to include the limitations of original depending claim 19. Claim 19 was cancelled without prejudice. Since claims 16 and 19 were originally filed as part of the original specification, no new matter is added. MPEP § 2163.06 recites "Lack of written description is an issue that generally arises with respect to the subject matter of a claim. If an applicant amends or attempts to amend the abstract, specification or drawings of an application, an issue of new matter will arise if the content of the amendment is not described in the application as filed. *Stated another way, information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter.*" (emphasis added). Thus, applicants

respectfully submit that claims 16-18 and 20-22 are patentable under 35 U.S.C. § 112, first paragraph.

Claims 1-4 and 23 are rejected under 35 U.S.C. § 102(b) as being anticipated by Perlman et al. (U.S. Pat. No. 5,450,407). In an Office Action dated 7/13/2004 at page 9, Examiner indicated claim 6 was allowable and stated "Regarding claim 6, the prior art of record fails to teach the method of claim 5 where the transmitter and receiver are Bluetooth devices." Applicants agree and amended claim 1 to include "Bluetooth transmitting device" on 11/15/04 in response to Examiner's statement. Perlman et al. fail to disclose a Bluetooth™ transmitting device as recited by claims 1-4. Thus, claims 1-4 are patentable under 35 U.S.C. § 102(b).

Examiner may believe that limitations of claim 5 should be included in independent claim 1. This belief, however, is unrelated to patent law. Moreover, applicants respectfully submit the limitations of claim 5 are redundant. For example, if a transmitting device is wireless, the receiving device is also wireless. If a transmitter operates according to the Bluetooth™ protocol, the receiving device also operates on the Bluetooth™ protocol. Finally, the Bluetooth™ protocol is a wireless protocol. For all the foregoing reasons, claims 1-4 are patentable under 35 U.S.C. § 102(b).

Claim 25 is objected to as depending upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Independent claim 23 is amended to include all the limitations of depending claims 24 and 25. Claims 24-25 are cancelled without prejudice. Thus, claim 23 is patentable under 35 U.S.C. § 102(b).

Claims 11-13, 26, and 29-31 are rejected under 35 U.S.C. § 102(e) as being anticipated by Sharpe (U.S. Pat. No. 6,094,146). Independent claim 11 recites "providing identification information which identifies a recipient packet communication device for which the packet is intended; *responsive to the identification information*, a transmitting packet device producing address information indicative of the intended recipient device and *extending the address field of the packet to accommodate the address information* and providing the address information in the

extended address field." Independent claim 26 recites "*a packet processor for selectively extending said address field of the packet to accommodate said address information, said packet processor further for providing said address information in said extended address field.*" (emphasis added). The extended address field (EAF) of Sharpe at Figure 3a is always present. It is not extended in response to identification information (claim 11) or selectively extended by a packet processor (claim 26). Sharpe specifically discloses "Referring to FIG. 3a each message commences with a 32 bit address code word ADD which is concatenated with an extended address field EAF, a control field CF and a data field DF comprising a plurality of message code words M." (col. 3, lines 25-28).

In an Office Action of 4/26/05, Examiner paraphrases Sharpe and states "In response to this data reception, the data is relayed to a stage where it is encoded, formatted and where indicia (extended address field) are concatenated with the address code word (extending the address field)." (page 11, last paragraph). Applicants respectfully submit that this does not anticipate independent claims 11 or 26. Claim 11 requires "extending the address field" "responsive to the identification information" and not in response to data reception. Moreover, "the identification information" specifically "identifies a packet communication device for which the packet is intended." These features of claim 11 are not disclosed by Sharpe. Finally, Examiner does not state that Sharpe discloses "a packet processor for selectively extending said address field" as required by claim 26. Examiner simply ignores this limitation.

To anticipate a claim, Sharpe must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Sharpe fails to disclose the foregoing elements of independent claims 11 and 26. Thus applicants respectfully submit that claims 11-13 and 26 are patentable under 35 U.S.C. § 102(c) in view of Sharpe.

Independent claim 29 recites "a packet processor coupled to said communication interface for *using error check information* from the received packet to *determine whether the address field of the received packet is an extended length address field*." Examiner has identified the disclosure of CRC bits at column 1, lines 33-37. However, Examiner has failed to identify any disclosure that these CRC bits are used to determine whether the address field is an extended length address field as in claim 29. By way of contrast, Sharpe teaches that "Extended Addresses are identified by enabled pagers as the first two digits of the message following the address code word." (col. 4, lines 32-34). Sharpe would not also use error check information for the same purpose.

In an Office Action of 4/26/05, Examiner states "Sharpe teaches on column 8, lines 26-28 that a processor is able to detect the extended address field and adapt itself in accordance with the commands carried by the extended address field." (page 12, next to last paragraph). But this does not anticipate independent claim 29. Claim 29 recites "using error check information from the received packet to determine whether the address field of the received packet is an extended length address field." Examiner paraphrases the disclosure at column 4, lines 31-37 that "Extended Addresses are identified by enabled pagers as the first two digits of the message following the address code word." But Sharpe does not disclose that these two digits are error check information. Thus, applicants respectfully submit that claims 29-32 are patentable under 35 U.S.C. § 102(e) in view of Sharpe.

Applicants acknowledge the rejection of claim 5 under 35 U.S.C. § 103(a), but believe this rejection is moot for the foregoing reasons.

Applicants believe the present amendment places the instant application in a condition for allowance. In view of the foregoing, applicants respectfully request reconsideration and allowance of claims 1-13, 15-18, 20-23, 26, and 28-32. If the Examiner finds any issue that is unresolved, please call applicants' attorney by dialing the telephone number printed below.

Respectfully submitted,



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